

**EXHIBIT “8”**

**PATROL GUIDE**

Section: Command Operations

Procedure No: 212-53

**COMMAND RESPONSIBILITIES WHEN A  
PERSON DIES OR SUSTAINS A SERIOUS INJURY  
IN CONNECTION WITH POLICE ACTIVITY**

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**PURPOSE**

To establish command responsibility and notification requirements when a person dies, is seriously injured in connection with a police activity, or sustains an injury resulting from a police firearms discharge.

**DEFINITION**

**POLICE ACTIVITY** - includes, but is not limited to:

- a. Any death while in police custody.
- b. Serious injury suffered by a person (prisoner/EDP) prior to police custody, (i.e., community intervention prior to police arrival, etc.) self inflicted serious injury.
- c. Police use of force resulting in serious injury.
- d. Death or serious injury to a person fleeing from a police foot or vehicle pursuit.
- e. Serious physical injury of a person resulting from police restraint, (i.e., EDP).
- f. Any injury to a person resulting from a police firearms discharge.

**PROCEDURE**

When a person dies, is seriously injured in connection with a police activity, or sustains an injury resulting from a police firearms discharge:

**UNIFORMED  
MEMBER OF  
THE SERVICE**

1. Immediately request the response of the patrol supervisor, and
  - a. Safeguard possible crime scene.
  - b. Provide and/or secure appropriate medical attention for the injured person.

**PATROL  
SUPERVISOR**

2. Respond to scene, assess the situation.
3. Notify the desk officer.
4. Establish crime scene, if necessary.

**DESK OFFICER**

5. Make the following notifications:
  - a. Borough command
  - b. Operations Unit
  - c. Commanding officer/duty captain
  - d. Internal Affairs Bureau, Command Center
  - e. Detective squad and borough commands.

**OPERATIONS  
UNIT**

6. Notify duty chief.

**PATROL  
BOROUGH  
COMMAND**

7. Notify duty inspector.
8. Notify shooting team leader when:
  - a. Injury occurs as a result of a police shooting.
  - b. Requested by duty inspector regarding a death in custody or serious injury in connection with police activity.

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**NOTE**

*Notifications to next of kin in ALL cases where a person dies while in police custody will be the responsibility of the Borough Commander and/or a member of their staff.*

**DUTY****INSPECTOR**

9. Respond to scene.
10. Confer with commanding officer/duty captain/shooting team leader.
11. Confer with Internal Affairs Bureau Response Team.

**IAB RESPONSE TEAM**

12. Respond to scene.
13. Confer with commanding officer/duty captain/shooting team leader.
14. Advise Internal Affairs Bureau Duty Captain, as appropriate.

**COMMANDING OFFICER/  
DUTY CAPTAIN/  
SHOOTING TEAM LEADER**

15. Respond and assess the situation.
16. Confer with Internal Affairs Bureau Duty Captain/Internal Affairs Bureau Response Team.

**WHEN IT IS DETERMINED THAT A POSSIBLE CRIMINAL INVESTIGATION WILL COMMENCE:****INTERNAL AFFAIRS BUREAU,  
DUTY CAPTAIN**

17. Respond and assess the circumstances.
18. Confer with the commanding officer/duty captain/shooting team leader.

**PATROL SERVICES BUREAU  
DUTY CHIEF**

19. Respond to scene and assume command.
20. Confer with duty inspector/commanding officer/duty captain/shooting team leader, and Internal Affairs Bureau Duty Captain to determine if a criminal investigation against a member of the service is warranted.
21. Assume responsibility for the non-criminal investigation when:
  - a. Person dies in custody.
  - b. Person sustains any injury resulting from police firearms discharge.
  - c. Person sustains a serious injury in connection with a police activity.

**NOTE**

*When a criminal investigation against a member is required, the Internal Affairs Bureau will be responsible for the investigation.*

**IF CRIMINAL INVESTIGATION AGAINST A MEMBER IS REQUIRED:****PATROL SERVICES BUREAU  
DUTY CHIEF**

22. Confer with the Chief of Detectives and Chief of Internal Affairs, as appropriate.
23. Coordinate the activities of the Detective Bureau and Internal Affairs Bureau personnel.

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**NOTE**

*In those cases where no criminal investigation by the Internal Affairs Bureau is required the follow-up investigation, including interviews conducted under P.G. 206-13, "Interrogation Of Members Of The Service" will be conducted by the borough commanding officer or designee.*

*If at any time during the investigation, it becomes apparent that a criminal investigation is required, the Internal Affairs Bureau will be notified and will take over responsibility for the criminal investigation, including any additional interviews.*

**ADDITIONAL DATA**

*When it is determined that the Internal Affairs Bureau will conduct the investigation, the local detectives will provide assistance (e.g., canvass interviews, etc.), as necessary. Conversely, when it is determined that Detective Bureau personnel will conduct the investigation, the Internal Affairs Bureau will provide assistance as requested by the Detective Bureau. The patrol borough Investigations Unit will also participate in these investigations, where warranted.*

*When, in the course of an investigation, (i.e., investigate DOA), a member of the Detective Bureau becomes aware that a death or serious injury was or may have been in connection with a police action, the precinct commanding officer/duty captain and the Internal Affairs Bureau will be immediately notified.*

*Whenever a person dies while in police custody or sustains death or serious injury in connection with a police activity, or sustains death or injury resulting from a police firearms discharge, forward copy of Typed Letterhead to Deputy Commissioner - Policy and Planning, 1 Police Plaza, Room 1403.*

**RELATED PROCEDURES**

*Interrogation of Members of the Service (P.G. 206-13)*

**FORMS AND REPORTS**

*Typed Letterhead*